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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

WILLIAM COOKSON, JUNE ANDRADE,) **CLASS ACTION**
 SENITA PORCHER, NIYSHA EDWARD,)
 DAVID BOTELLO, SANTOS RAY REHMKE) Case No. C10-02931 CRB
 and DAVID AXTON on behalf of themselves)
 and all others similarly situated,)

Plaintiffs,

v.

NEW UNITED MOTOR MANUFACTURING,)
 INC., TOYOTA MOTOR CORPORATION, and)
 TOYOTA MOTOR SALES, U.S.A., INC.)

Defendants.

**STIPULATION AND [PROPOSED] ORDER
 TO STAY FRCP 26(F) CONFERENCE,
 INITIAL DISCLOSURES, AND DISCOVERY
 PLAN; AND CONTINUE MOTION TO
 DISMISS HEARING AND CASE
 MANAGEMENT CONFERENCE**

[Hon. Charles R. Breyer]

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18
19 Attorneys for Defendants
TOYOTA MOTOR CORPORATION and
20 TOYOTA MOTOR SALES, U.S.A., INC.

1 WHEREAS the parties are participating in an early mediation in this action with the
 2 Honorable Edward A. Panelli (Ret.) and have attended a private mediation session with Justice
 3 Panelli on November 2, 2010;

4 WHEREAS the parties would like to focus their resources and efforts on the ongoing
 5 settlement process;

6 WHEREAS the Motions to Dismiss and the Case Management Conference are currently set
 7 for hearing on December 3, 2010;

8 IT IS HEREBY STIPULATED, SUBJECT TO APPROVAL BY THE COURT, THAT:

9 1. The initial conference of the parties as required by Federal Rule of Civil Procedure
 10 26(f) and related deadlines, including the discovery plan described in Federal Rule of Civil
 11 Procedure 26(f)(3), initial disclosures described in Federal Rule of Civil Procedure 26(a)(1)(A), and
 12 joint case management conference statement described in Civil Local Rule 16-9, shall be deferred
 13 until an appropriate date following the settlement process, to be determined jointly by the parties,
 14 with the Court's approval;

15 2. The hearing and remaining briefing schedule on the Motions to Dismiss shall be
 16 modified as follows:


17 Event	Current Due Date	Proposed Due Date
18 Opposition	November 3, 2010	December 23, 2010
19 Reply	November 19, 2010	January 7, 2011
20 Hearing	December 3, 2010	January 21, 2011

21
 22 3. The Initial Case Management Conference shall be continued to the date of the hearing
 23 on the Motions to Dismiss, i.e., January 21, 2011.

1 DATED: November 5, 2010

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6 BY:


WILLIAM C. MCNEILL
Attorneys for Plaintiffs

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8 DATED: November 5, 2010

PAUL, HASTINGS, JANOFSKY & WALKER LLP

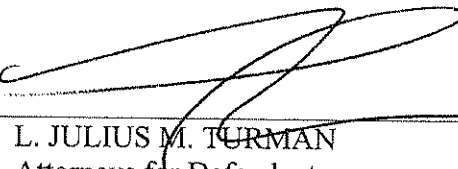
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11 BY:

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12
13
14 DATED: November 5, 2010

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17 BY:


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1 DATED: November 5, 2010

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14 DATED: November 5, 2010

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17 BY: _____

L. JULIUS M. TURMAN
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TOYOTA MOTOR CORPORATION and
TOYOTA MOTOR SALES, U.S.A., INC.

ORDER

Pursuant to stipulation, it is so ordered.

Dated: November 9, 2010

Charles R. Breyer, District Judge

